

10/516,930

Page 5 of 8

**REMARKS**

Claims 1, 6-15, 18-20, and 27-33 are pending in the application. Claim 1 has been amended to clarify the inventive subject matter. Basis for the amendments can be found throughout the specification and claims as originally filed. The amendments add no new matter. Therefore, entry of the amendment is respectfully requested.

10/516,930  
Page 6 of 8

**REJECTION UNDER 35 U.S.C. §103(a)**

The Examiner has maintained the obviousness rejection of all pending claims as being unpatentable over Mulvaney et al. (U.S. Patent No. 6,548,168) in view of Oldenburg et al. (U.S. Patent No. 6,344,272).

Applicants maintain their traversal of this rejection. The Examiner has failed to make a prima facie case of obviousness.

Amended claim 1 is directed to an antimicrobial coating composition, consisting essentially of a polymeric material and inorganic core-shell particles having a core and at least one shell directly deposited thereon, wherein the core consists of nanoscale particles of an inorganic material with semiconductor properties, having a particle size < 100 nm and the shell is formed by at least one metal having antimicrobial action

Applicants traversal from the previous responses are hereby incorporated by reference.

As previously stated, the core shell particles of Mulvaney, et al. comprise a shell (coating layer) selected from silica and an organic conducting polymer. Therefore, Mulvaney, et al. fail to teach inorganic core-shell particles.

The teachings of Oldenburg, et al. do not provide the necessary motivation to modify Mulvaney, et al. and therefore do not remedy the deficiencies of Mulvaney, et al. Specifically, Oldenburg, et al. do not teach or suggest a coating with core-shell particles free of organic parts. The conducting shell layer may comprise a metal selected from an organic conducting material. The core of Oldenburg, et al. may comprise a dielectric or semiconducting material, such as silicon dioxide. Therefore, Oldenburg, et al., fail to teach inorganic core-shell particles.

10/516,930  
Page 7 of 8

Thus, the references teach core-shell particles which are only partly inorganic, and therefore do not teach each and every limitation of the instant claims. Thus, a *prima facie* case of obviousness has not been established.

In view of the foregoing, it is submitted that nothing in Mulvaney, et al. and Oldenburg, et al., taken alone or together, renders the claimed invention obvious within the meaning of 35 USC § 103(a). Applicants respectfully submit that a *prima facie* case for obviousness has not been established. Accordingly, the Examiner is respectfully requested to withdraw this rejection.

Accordingly, the Examiner is asked to reconsider and withdraw this rejection.

10/516,930  
Page 8 of 8

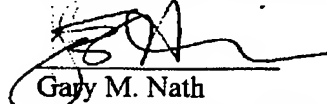
**CONCLUSION**

In view of the foregoing, Applicants submit that the application is in condition for allowance. The Examiner is invited to contact the undersigned attorney if it is believed that such contact will expedite the prosecution of the application.

Please charge any fee deficiency or credit any overpayment to Deposit Account No. 14-0112.

Respectfully submitted,

**THE NATH LAW GROUP**



Gary M. Nath  
Registration No. 26965  
Tanya E. Harkins  
Reg. No. 52,993  
Customer No. 20259

Date: April 29, 2008  
**THE NATH LAW GROUP**  
112 S. West Street  
Alexandria, VA 22314  
Tel: (703) 548-6284  
Fax: (703) 683-8396